IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

TUESDAY, THE EIGHTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE MRS JUSTICE T.MEENA KUMARI**

**&**
**THE HON'BLE MR JUSTICE S.ANANDA REDDY**

**WRIT APPEAL NOs : 197 and 198 of 2005**

**WRIT APPEAL NO.197 OF 2005**

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 30/11/2004 in WVMP No.3383 of 2004 in WPMP NO :125 OF 1999 in WP.No.125 of 1999 on the file of the High Court.)

Between:

M/s. Chidambaram & Company, Petrol Bunk, Rep. by its Proprietor R.S. Visweswaran, S/o. R.No. Swethanarayanan, Aged 57 Years, Balighattam Narsipatnam, Visakhapatnam District 531 116

**..... APPELLANT**

AND

1 K. Sankararao, S/o. Adinarayana,
Office of Commission Broker Mr. G. Satyanarayana, Balighattam,

Narsipatnam R/o. Khalasis Colony, Balighattam, Narsipatnam,

Visakhapatnam District.

2 The Presiding Officer, Labour Court, Visakhapatnam.

**.....RESPONDENTS**

**Counsel for the Appellant : MR.A.SRINIVASA SARMA**

**Counsel for Respondent No.1: MR.C.DAMODHAR REDDY**

**Counsel for Respondent No.2 : GOVERNMENT PLEADER FOR LABOUR**

**WRIT APPEAL NO : 198 of 2005**

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 30/11/2004 in WVMP NO : 3387 OF 2004 IN WPMP.NO.135 OF 1999 IN WP.NO.135 OF 1999 on the file of the High Court.)

Between:

M/s. Chidambaram & Co., Petrol Bunk, rep by Proprietor R.S. Visweswaran,

S/o R.N. Swethanarayanan, Balighattam, Narasipatnam Visakhapatnam District

**..... APPELLANT**

AND

1 E.Appalanaidu,S/o.Erranna
Presently working as NMR in Government Company

R/o Khalasis Colony, Balighattam, Narsipatnam Visakhapatnam District
2 The Presiding Officer, Labour Court, Visakhapatnam

**.....RESPONDENTS**

**Counsel for the Appellant : MR.A.SRINIVASA SARMA**

**Counsel for Respondent No.1: MR.C.DAMODHAR REDDY**

**Counsel for the Respondent No.2: GOVERNMENT PLEADER FOR LABOUR**

**The Court made the following:**

**COMMON JUDGEMENT:** **(per the Honourable Smt.Justice T.Meena Kumari)**

These writ appeals arise out of the orders, dated 30.11.2004, in W.V.M.P.No.3383 of 2004 in W.P.M.P.No.125 of 1999 in W.P.No.125 of 1999 and W.V.M.P.No.3387 of 2004 in W.P.M.P.No.135 of 1999 in W.P.No.135 of 1999 passed by a learned single Judge of this Court.

The Management in both the appeals is one and the same. The 1st respondent in

both the appeals are the workmen under the Management in question.

On an application by the workmen, the Tribunal has allowed the same ordering their reinstatement with all backwages. Aggrieved by the same, the Management has preferred the present writ petitions. While admitting the writ petitions, the order of the Tribunal was stayed. On that, the Workmen have moved the present vacate stay petitions seeking to vacate the interim stay and while disposing of the same, the learned single Judge has made it clear that the Management shall deposit all the arrears of wages under section 17 B of the Industrial Disputes Act and shall also continue to pay the same regularly every month. Aggrieved by the same, the Management has preferred the present writ appeals.

Having heard the learned counsel on both sides at length and having gone through the entire material placed before the Courts, without expressing any opinion on the merits of the case, we feel it appropriate to grant interim stay of payment of arrears subject to the condition of reinstating the respondents-workmen.

Accordingly, both the writ appeals are disposed of. No costs.

Meanwhile, the Registry is directed to post both the writ petitions for final hearing after Summer Vacation, 2005.

**(T.MEENA KUMARI, J)**

**(S.ANANDA REDDY, J)**

**Dt:08.02.2005**

bsv/gurc

To

1. M/s. Chidambaram & Company, Petrol Bunk, Proprietor R.S.Visweswaran S/o. R.N. Swethanarayanan, Balighattam, Narsimpatnam, Visakhapatnam District 531 116

2. The Presiding Officer, Labour Court, Visakhapatnam.

3. Two CCs to the Government Pleader for Labour, High Court of A.P., Hyderabad (OUT)

4. Two CD copies

5. The S.O., Writ Filing Section, High Court of A.P., Hyderabad.

6. The S.O., Posting Section, High Court of A.P., Hyderabad.